

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2005-094509

02/11/2010

HON. SHERRY K. STEPHENS

CLERK OF THE COURT

L. Wilkins

Deputy

IN RE THE MARRIAGE OF
THOMAS R STILLWELL

THOMAS R STILLWELL
P O BOX 93007
PHOENIX AZ 85070-3007

AND

JOY LYNN STILLWELL

JOY LYNN STILLWELL
2921 W GLENHAVEN DR
PHOENIX AZ 85045

MINUTE ENTRY

Courtroom 402 - SE

9:21 a.m. This is the time set for Evidentiary Hearing re: Respondent/Mother's *Petition for Modification of Parenting Time, Child Support* and attorney's fees. Petitioner/Father is present telephonically on his own behalf. Respondent/Mother is present telephonically on her own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

The parties advise the Court that they have reached an agreement on the issues, which agreement is more fully set forth on the record as follows:

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- Mother shall continue to have parenting time with the minor children on alternating weekends from Saturday at 9:00 a.m. until Sunday at 9:00 a.m.
- Mother shall have the right to request visits from the minor children on her other days off and Father shall not unreasonably withhold his consent to those requests.
- On February 15, 2010 and March 15, 2010, the minor children shall stay with Mother for additional time on said days until 2:00 p.m.
- The Holiday schedule in the original Decree shall remain in effect until/unless a change is negotiated and incorporated into a new parenting plan.
- The current child support order shall be affirmed at this time, along with all other orders relating to shared expenses and insurance.
- By no later than April 21, 2010, the parties shall exchange proposals for summer 2010 and for a permanent new Parenting Plan for the next school year and beyond. If an agreement cannot be reached via the exchange of these positions, an immediate appointment with Conciliation Services will be scheduled to arrive at a new Parenting Plan. (Either party may pre-schedule an appointment with Conciliation Services, to be held no sooner than the second week in May, as a contingency in case agreement cannot be reached. Either party may also, at its own expense, retain a mutually-agreeable private mediator in place of Conciliation Services, provided the mediator is available in approximately the same time frame). The mediator may, if he/she wishes, privately hear from the minor children regarding their wishes and concerns. If mediation is unsuccessful, either party will be free to file a motion to modify the parenting plan and both parties will stipulate to an accelerated hearing on same.
- By no later than April 21, 2010, the parties shall exchange updated Affidavit's of Financial Information. Once the new parenting plan is established, a petition for a new child support order will be filed with the Court for approval, based on the Affidavit's of Financial Information and the new plan.
- Commissioner Peterson's 2009 ruling regarding tax deductions shall remain the same.
- Mother's motion to set aside the requirements of the *Order of Modification of Consent Decree of Dissolution of Marriage Entered February 26, 2007* is granted.
- Each party shall bear their own attorney's fees and costs (if any).

Thomas Stillwell and Joy Stillwell are sworn and testify.

Petitioner and Respondent both testify that they have heard and understood the agreement as orally stated in open court, and that this is, in fact, their agreement.

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THE COURT FINDS that the agreement entered into between the parties is not unfair, and is reasonable, and is in the best interests of the parties' minor children.

IT IS ORDERED approving the agreement of the parties as a binding agreement pursuant to Rule 69, Arizona Rules of Family Law Procedure.

Based upon stipulation of the parties this date,

IT IS ORDERED deeming Mother's *Petition for Modification of Parenting Time, Child Support and Motion for Relief from Judgment* filed August 27, 2009 as being withdrawn.

LET THE RECORD REFLECT there are no pending issues in this case at this time.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81(D), Arizona Rules of Family Law Procedure.

9:25 a.m. Hearing concludes.

/s/ HONORABLE SHERRY K. STEPHENS

JUDICIAL OFFICER OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.